Atta: James Frude AG'= Office

C 2003 - 419



State of Alabama Unified Indictal System Form C-18 Rev. 10/86 JUDGEMENT/ORDER CC' - 2003 - 4					«	Case	Number
NTHE CIRCUIT COUNTY COUNTY (Name of County or Municipality) STATE OF ALABAMA V. LARYIE EARL JONES Plaintiff Trial is continued on defense motion. DONE and ORDERED this 23rd day of February, 2004. M. ASHLEY MCKATHAN, CIRCUIT JUDGE FILED IN OFFIC FEB 2 6 2004 J. A. P. J.	State of Alabama Unified Judicial System		JUI	JUDGEMENT/ORDER			
(Circuit, District or Municipal) STATE OF ALABAMA Plaintiff Por juvenile cases only): In the Matter of: Trial is continued on defense motion. DONE and ORDERED this 23rd day of February, 2004. M. ASHLEY MERATHAN, CIRCUIT JUDGE FILED IN OFFIC FEB 2 6 2004 J. A R. J.	orm C-18	Rev. 10/86					
(Name of Gounty of Municipally) STATE OF ALABAMA Plaintiff Por juvenile cases only): In the Matter of: Trial is continued on defense motion. DONE and ORDERED this 23rd day of February, 2004. M. ASRLEY MARTHAN, CIRCUIT JUDGE FILED IN OFFIC FEB 2 6 2004 J. A. R	TUE	CI	RCUIT	COURT OF_	COVINGTON COUNT	<u>Y</u> , ,	ALABAMA
Plaintiff Plaintiff For juvenile cases only): In the Matter of: Trial is continued on defense motion. DONE and ORDERED this 23rd day of February, 2004. M. ASHLEY MERATHAN, CIRCUIT JUDGE FILED IN OFFIC FEB 2 6 2004 J. A Phone are Signature of Judge Certified as a true copy Date	V 1116	(Circuit, I	District or Municipal)			unicibality)	
For juvenile cases only): It is continued on defense motion. DONE and ORDERED this 23rd day of February, 2004. M. ASHLEY MERATHAN, CIRCUIT JUDGE FILED IN OFFIC FEB 2 6 200¢ J. A. P. J.	STATE OF	ALABAMA		v	ARYIE EARL JONES Defer		
Trial is continued on defense motion. DONE and ORDERED this 23rd day of February, 2004. M. ASHLEY MEATHAN, CIRCUIT JUDGE FILED IN OFFIC FEB 2 6 2004 J. A. F. C. F. C.			Plaintiff				
DONE and ORDERED this 23rd day of February, 2004. M. ASHLEY MENATHAN, CIRCUIT JUDGE FILED IN OFFIC FEB 2 6 2006 J. A Parice Signature of Judge Certified as a true copy	For juvenile on the Matter	cases only): of:					
DONE and ORDERED this 23rd day of February, 2004. M. ASHLEY MCKATHAN, CIRCUIT JUDGE FILED IN OFFIC FEB 2 6 2004 J. A Finance Signature of Judge Certified as a true copy							
M. ASHLEY MCRATHAN, CIRCUIT JUDGE FILED IN OFFIC FEB 2 6 2004 J. A Property of Judge Certified as a true copy Date		Trial	is continued on de	efense motion.			
FILED IN OFFIC FEB 2 6 2004 J. A. Faces Cartified as a true copy Date		DONE a	and ORDERED this 2	3rd day of Feb	ruary, 2004.	_	
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FEB 2 6 2000 A Fine cure Signature of Judge Certified as a true copy				M. ASHL	EY MEKATHAN, CIRCUI	T JUDGE	
FEB 2 6 2004 A Fine cure Signature of Judge Certified as a true copy				(
FEB 2 6 2004 A Fine cure Signature of Judge Date				<i></i>			
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Signature of Judge Certified as a true copy Date					FI	EB 2 6 2004	
Signature of Judge Certified as a true copy Date				•	,	()	
Certified as a true copy Date					كسك	A Parell	
Date							
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Date				Sig	nature of Judge		
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By:	Date						
Clerk	Clasti		By:_				

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DATE		ON, JUDGMENTS, O				
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2728/04	Consola	Talos Cippoale	are miles	and	8	
621.04	asses & ma	to for Queen ORDER				
		Defendant fails to appear	Tag required			
	Consequ	lently, the Clerk shall iss	ue an alias wan	rant for		
	appropri	endant's arrest, and shall ate bond forfeiture proce	likewise institu ediros	te		
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State of Alabama Unified Judicial System	ллдем	JUDGEMENT/ORDER		Case Number
Form C-18 Rev. 10/96			Lix	CC - 2003 - 419
IN THE(Circuit, I	CIRCUIT CO District or Municipal)	URT OF(Nan	COVINGTON COUN' ne of County or Munic	TY , ALABAMA
State of Alabama		v. Laryie E	arl Jones	
	Plaintiff		Defenda	nt
(For juvenile cases only): In the Matter of:				
Trial	as set this day is conti	nued on defen	dant's motion.	Thereupon,
Hon. Grady	Lanier seeks permission	to withdraw as	s counsel for La	ryie Earl
Jones, and	that request is GRANTED.	Mr. Jones in	ndicates that he	will retain
new counsel	. He is accordingly all	owed thirty (30) days to do s	o. If a retained
attorney do	es not appear within the	time allowed	, then, in that	event, Hon.
David Baker	shall be deemed to be a	ppointed as th	he new defense 1	awyer, all
without fur	ther order of the Court.			
DONE as	nd ORDERED this the 22nd	day of Septer	mber, 2004.	
		All	1 11. 1111	
•		M. ASHLE	McKATHAN, CIRC	UIT JUDGE
	FILED IN OFFICE			
	SEP 2 3 2004			
	Ry & Paul			
٥.		Signature of	Judge	
Certified as a true copy		,=	-	
Date				
	_			
Clerk	Ву:			

State of Alaba Unified Judici		JUDGEM	ENT/ORDER	Case Number CC - 2003 - 419
Form C-18	Rev. 10/86			CC - 2003 - 419
IN THE		CIRCUIT COU District or Municipal)	URT OF COVINGTON COUNTY (Name of County or Muni	TY, ALABAMA
STATE O	F ALABAMA		v. LARYIE EARL JONES	
		Plaintiff	Defenda	nt
	le cases only): ter of:			
	Hon. Da	wid Baker moves to withdr	aw as the attorney for the d	defendant,
•	as he has di	scovered that he has a co	onflict of interest. That mo	otion is
*	GRANTED. AC	cordingly, the trial as s	et this day should be, and	it hereby is,
	continued.			
	In view	of the foregoing, it is	necessary to designate new o	counsel for
	Mr. Jones, a	and Hon. Francis M. James	is therefore appointed to re	epresent him
•	from this da	y forward.		
	DONE ar	nd ORDERED this the 16th o	lay of November, 2004.	
		NOV 1 6 2004	M. ASHLEY MCKATHAN, GIRCU	IT JUDGE
Certified	as a true copy		Signature of Judge	
Date Clerk		By:		

IN THE CIRCUIT COURT OF COVINGTON COUNTY, ALABAMA RANGE CLERK

STATE OF ALABAMA,

PLAINTIFF,

VS.

j

LARYIE EARL JONES,

DEFENDANT.

CASE NOS.

)

CC-2003-187

CC-2004-347

ORDER

The trial of this case as now set to transpire during the week of February 28, 2005, should be, and it therefore is, continued on motion of the defendant.

DONE and ORDERED this the 15th day of February, 2005.

CIRCUIT JUDGE

STATE OF ALABAMA,	((()))	
PLAINTIFF,	}	
VS.	}	CASE NO: CC-03-419
LARYIE EARL JONES DEFENDANT.	}	

MOTION FOR CONTINUANCE

COMES NOW the Defendant, Laryie Earl Jones by and through his counsel of record, A. Riley Powell, IV, and moves this Honorable Court to continue his trial, currently scheduled for the Week of June 27, 2005 and as grounds therefor sets down and assigns the following:

- 1. Counsel for Defendant was just recently appointed.
- 2. Counsel for Defendant has not had adequate time to prepare his case.
- 3. See attached Consent to Continuance executed by the Defendant.

Respectfully submitted this 27 day of June, 2005

THE POWELL LAW FIRM, P.C.

A. Riley Powell, IV (POW029)

Post Office Drawer 969

Andalusia, Alabama 36420

334/222-4103

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the above and foregoing on all counsel of record for the parties by placing a copy of same in the United States mail, postage prepaid and addressed to their regular mailing address, as follows:

Honorable Walt Merrell District Attorney's Office Covington County Courthouse Court Square Andalusia, Alabama 36420

This the 27 day of ___

In the Circuit Court of Guington County, Alabama

STATE OF ALABAMA,

Plaintiff

VS.

LARRYIE EARL JONES,
Defondant

Case Numbers

CC-2003-187

CC- 2003-418

(C- 2003-419

CC - 2004 - 347

CONSENT TO CONTINUANCE

I, Larryie Earl Jones, do hereby consent to my cases being continued by the Burt from their current trial setting (June 30,2005). I also understand that I have an ongoing Motion for Speedy Trial.

I have discussed the continuance and the Speedy Trial Motion with my attorney. I understand my rights and intelligently knowingly, voluntarily and intelligently consent to the continuance of the trial.

Done this 27th day of June, 2005

Witness

Witness Typus

Largie Earl Jones

STATE OF ALABAMA,	}	
PLAINTIFF,	}	
VS.	}	CASE NO: CC-03-419
LARYIE EARL JONES DEFENDANT.	}	

MOTION FOR CONTINUANCE

COMES NOW the Defendant, Laryie Earl Jones by and through his counsel of record, A. Riley Powell, IV, and moves this Honorable Court to continue his trial, currently scheduled for the Week of June 27, 2005 and as grounds therefor sets down and assigns the following:

- 1. Counsel for Defendant was just recently appointed.
- 2. Counsel for Defendant has not had adequate time to prepare his case.
- 3. See attached Consent to Continuance executed by the Defendant.

Respectfully submitted this _	27 day of June	, 2005
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FILED IN OFFICE

JUN 27 2005

THE POWELL LAW FIRM, P.C.

A. Riley Powell, IV (POW029) Post Office Drawer 969

Andalusia, Alabama 36420

334/222-4103

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PAGE. 10

State of Alabama Unified Judicial System form C-7 Rev. 2/79	CASE ACTION SUMMARY CONTINUATION	Case Number CC 03 419 ID YR Number		
Style:	Page Nun	nber of Pages		
DATE STATE	OF AT ARAMA ACTIONS, JUDGMENTS CAPENOTER CUL	I COURT OF		
P	LAINTIFF, * COVINGTON CO	DUNTY, ALABAMA		
VS	*			
	E EARL JONES, CASE NO. CC-20)03-419		
E	DEFENDANT, *			
	ORDER			
Т	The defendant, Laryie Earl Jones, appeared in open Court in per	rson with Hon. Ab Powell,		
The part	ner of his defense counsel of record, and, whereupon the defen	dant withdrew his plea of		
not guilt	not guilty and whereupon the defendant plead guilty to Unlawful Possession of a Controlled Substance (Cocaine), said crime being set forth in Count I of the indictment. Upon his plea of guilty, the Court proceeded per the requirements of the Alabama Rules			
Substan				
U				
of Crimi	of Criminal Procedure, by which means it accepted the said plea. On account of the foregoing			
things, d	defendant stood and was adjudged to be guilty of Unlawful Po	ssession of a Controlled		
Substan	nce (Cocaine) as charged in Count I of the indictment. The Co	urt then sentenced such		
defenda	nt to a term of fifteen (15) years imprisonment in the penitent	ary of the State of		
Alabam	a under the Habitual Felony Offender Act on Count I. Notwit	hstanding that fact, it is		
specific	ally provided that the defendant shall receive credit for any tim	e already served on this		
prosecu	tion. Further, and in view of the preceding matters, all other C	ounts of the indictment are		
now due	e to be, and same accordingly are, nolle prossed.			
1	Further, the sentence imposed herein shall run concurrently wi	th any time simultaneously		
.)	n Covington County Case Numbers CC 2003-187 and CC 200	•		

Date	ACTIONS, JUDGMENTS, CASE NOTES
,	
	As additional punishment for the conviction in this particular cause, the defendant was
···	ORDERED to pay: all costs incurred herein, including the fees of court appointed defense
	counsel; \$100.00 to the Alabama Crime Victim's Compensation Fund; \$2,000.00 User's Fee
	(Count I); \$100.00 to the forensics trust fund
	Said payments are to be made as follows: \$50.00 per month
	beginning as indicated by separate order bearing even date herewith.
	It is further ORDERED that the defendant: shall submit to substance abuse evaluation by
	the Court Referral Officer and undergo treatment in that level of Substance Abuse Program as
	such officer may recommend; Shall surrender his driver's license to the State Department of
	Public Safety who shall suspend or revoke same for six (6) months by reason of this judgment,
	pursuant to the plea agreement and as required by law; shall, within 30 days of his release from
	incarceration enroll in and successfully complete a twelve (12) month residential substance
	abuse rehabilitation program; shall attend Substance Abuse Recovery meetings (e.g., Narcotics
	Anonymous, Alcoholics Anonymous, etc.) at least once a week; shall forfeit to the State all
	seized evidence in this case for the purpose of destruction; and, upon recommendation of the
	State of Alabama, the Sheriff of Covington County is directed to issue the Defendant a 48 hour
	pass for leave from the Covington County Jail, beginning at 5:00 p.m. on September 28, 2005
	and ending at 5:00 p.m. on September 30, 2005
·	The above acts being done, the Court notes that it specifically advised the defendant of
	his limited rights of appeal under Rule 14.4(a)(1)(viii), A.R.Crim.P. but he did not give any kin
	of notice of appeal.

Date	ACTIONS, JUDGMENTS, CASE NOTES
	The defendant did apply for the benefits of probation and herein is granted a split
	sentence. The defendant shall now serve one (1) year in the penitentiary of the State of Alabama
	upon his total term in this case, with said split sentence beginning on September 27, 2005 and
	concluding one (1) year from that date. The defendant shall nonetheless receive credit for time
	served as specified previously in this Order, but without any deduction therefrom under the
	Alabama Correctional Incentive Time Act. The execution of the remainder of the defendant's
	sentence is thereupon suspended, and the defendant is placed upon probation for such remainder
	by separate order bearing even date herewith
	DONE and ORDERED this the 27th day of
,	4/1 3/1/
	Japley 11 / str
· · · · · · · · ·	CIRCUIT JUDGE
	I have read over and/or have had read to me by my attorney the above Order and attest I understand said Order and that said Order accurately sets out the plea agreement that I have reached with the State.
	San's Earl Jones
	DATE DEFENDANT
	I have read the above Order and have gone over it with and/or read it to the defendant. I attest that said Order accurately sets out the plea agreement that my client has reached with the State. further attest that I have discussed this Order with my client to the extent that he has assured m that he understands said Order and that I am comfortable in representing that he understands said Order.
	Oluci.
	9/27/05 X/h Xbrum (1)
	DATE ATTORNEY FOR DEFENDANT

Date	ACTIONS, JUDGMENTS, CASE NOTES
	The State is satisfied that the above order accurately sets out the plea agreement reached by the parties, in this matter.
	9/20/05
	DATE PROSECUTING ATTORNEY
	
*	
	
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- -	A TO THE OWNER OF LATION	Case Number
State of Alabama	ORDER OF PROBATION AFTER ALLOWANCE OF SPLIT- SENTENCE	66 03 419
Unified Judicial System	AFTER ALLOWANCE OF BILLIA	CC 03 419
Form C-53 Rev. 2/81, as modified for local use.		
		·
		COUNTY
IN THE CIRCUIT	COURT OF COVINGTON	COUNTI
	vs. LARRYIE EARL JONES	
STATE OF ALABAMA	145-4-1	
It appears to the Court the above name	ted of the offense of Unl. Poss. of a Controlled S	ubstance (Cocaine)
	whit contends and ambation by constate order. Increupou, it is	directed that the
following terms and conditions shall go	overn defendant's probation once he has served his split and is	released on
probation.		Mar a feet at an
It is the order of the Court that the	probationer comply with the following general and special cou	ditions of probation:
Do not violate any Federal, State,	or local law.	
A void injurious or vicious habits.		•
Avoid persons or places of disrept	utable or harmful character.	
Report to the Probation Officer as	directed.	
Permit the probation officer to vis	it mm at his home or eisewhere.	
Work faithfully at suitable employ Remain within a specified place to	writ: State of Alabama	
Support his dependants to the best	of his ability.	
	rement without the concent of the Probation UHICCL.	
Pay to the Probation Officer \$30.0	00 per month during the probation period, pursuant to Section 1	.5-22-2,
Code of Alabama, 1975.	1 II La manero	and in advance by the
	hours of community service. Said service shall be appro	ments of not less than
probation officer, and shall then be mon	itored by him. Further, said service shall be performed in incre	media of hor less than
X The defendant shall submit to	substance (drug and/or alcohol) abuse evaluation by the Court	
TOTAL TOTAL STREET CONTRACTOR	Abuse Program as such officer may recommend cohol or narcotic drugs, or frequent places where intoxicants or	r drugs are sold, dispensed, or
ordered by your Probation Officer, inclu	ding, but not limited to, Urinalysis, Breathalizer, and blood san	aples and/or search of your
I waid was websele of any property under	r volir commol.	
		ing manner.
The defendant shall remit t	the sum of \$30.00 per month over the same	HEALT CLEIK GHELL CAST
Other special conditions ordered	by the Court are as follows: The remittances as ment	requirements of the next
mence within 60 days of the	a date on which the defendant finishes the	- Control of the Cont
The defendant shall enro	oll in, and successfully proceed through, a ram. Such anxiety shall transpire within 30 of the split servence.	lays of the date on which
tial, substance abuse progr	the prison portion of his split-sentence.	Further, the substance
the defendant is done with	e defendant pursuant hereto must be approved	i in advance by his
abuse program chosen by the	e detendant paradant nations many	
probation officer.	feit any evidence seized in this case for the	ne purpose of destruction
The defendant shall roll	shall attend a Narcotics Anonymous meeting	at least once each week
for so long as he remains	on probation.	··· .
for 80 folig as he remarks	/	
	. /	EU ED IN OFFICE
		FILED IN OFFICE
	/	
		SEP 2 7 2005
	•/	
		Ray A Parece
		GLERK
This she for the court of the Court	and the defendant is hereby advised that the Court may at any t	ime revoke or modify any
If it the further order or the Court	and the derendant is hereby advised that the Countries of the probation and may discharge defendant from probation are the probation and may discharge defendant from probation here	ion or extend the period of
probation. The probationer shall be subi	ect to arrest for violation of any condition of the probation here	in granted. The Court may, at
land time for cause office the original sci	nience executeu.	
Ordered at Andalusia	Alabama, this (Date) the 27th day of September, 2	2005.
	All Mb 3/1	
	Janay III Jahr	
A come of this order has been delivered t	to the probationer, who has been instructed regarding same this	(date)
A copy of and office and some derivation	,	
1	Probation Officer	ms, agreeing to abide by them.
The above instructions and conditions ha	Probation Officer ave been read and explained, and I hereby accept these condition	
Race Age Scx	Probationer sign here	-
pation		
	Address of Probationer	
\ \		

		ANIATION OF DI	CUTS AND	C.	ise Number
ate of Alabama	EXM	ANATION OF RIC	TY		C-03-419
nificd Judicial System		PLEA OF GOIL on-Habitual Offender	, 1 1 Circuit or District		0-03 417
C.44C (front) Rev. 8/1	95 (Habitual Or No	Ispitual Onender	Citedra S.		
rev. for local use 6/98; 6/0	10, 8/02				
CIRCUI	т со:	URT OFCOVING	TON	cou	NTY, ALABAMA
VIDE		(Name of County)			
(Circuit, or Distr					
TATE OF ALABAI	MA V. LARYIE	EARL JONES			
INIDOLIT	Defen	ıdanı		•	•
	'			nica of guilty	n this case, this is to
O THE ABOVE-NAM	ED DEFENDANT: The	e Court being informed that	You wind to clies ~	promong my	
form you of your rights	as a criminal defendant.				
		IES APPLICABLE	TO YOUR CA	SE	
	PENALI	IES APPLICABLE	TO TOOK SE		
				*	
ou are charged with	the following crime(6):	:		•	
	,		^	N Eclose	□ Mindemeanor.
1 count(s) of U	Inl Poss CS	which is a Class		_ (A Leront)	M Miedemeanor.
1 count(s) of U	Inl Poss Drug Par	raph which is a Class	A		Misdemeanor.
count(s) of		which is a Class	·	_ to recons	ber 17410-teery binstor.
		the state of the s			•
he Court has been in	formed that you desire	e to enter a ples of guilt t	to the crimc(s) of:		
He Court mas 4					
Unl Poss Cs	on count(s) _ I _ which is a Cla	186C	N Felon	□ Wisqemernor
		·Linkin n Cla		C Felous	7 1416 criticanon
	on count(e)which is a Cla	188	🗆 Felon	Misdemeanor.
	the above crime(a) is set o	nt helow			
The sentencing range for	Me above curpe(a) is the				
MISDEMEANOR		FELONY		Not less	han ten (10) years and not
	Up to one (1) year in jail, or a fine up to \$	mprisonment is the county 12000, or both.	Class A	mare that	life or ninety-nine (99) years nent in the state penitenniary,
Class A	144, 44 - 1111 - 1	·		and may	nclude a fine not to exceed
				\$20,000.	
		a imprisonment in the	Class B	Not less	han two (2) years and not a twenty (20) years
	Up to six (6) month	en etting on back			ment in the state permetalizary.
Class B	Up to six (6) month county jail, or a fine	up to \$1000, or both			nclude a fine not to exceed
Class B	Up to six (6) month county jail, or a fine	up to \$1000, or both	, 2		include a fine not to exceed
Class B	county jail, or a fine	the improvement in the		and may 310,000.	han one (1) west and one (1)
Class C	county jail, or a fine	up to \$1100, or both this imprisonment is the porty exceed \$500, or both	Class C	and stay \$10,000. Not less day and s	han one (1) year and one (1) os more than ten (10) years
	county jail, or a fine	the improvement in the		imprison and may \$10,000. Not less day and s imprison and may	han one (I) year and one (I)
Сіаза С	county jail, or a fine Up to three (3) mon county jail, or a fine	this imprisonment is the not to exceed \$500, or both	Class C	insprisons and may \$10,000. Not less day and s imprison and may \$5,000.	han one (1) year and one (1) or more than ten (10) years meat in the state penitentiary include a fine not to exceed
Class C	county jail, or a fine county jail, or a fine	this imprisonment is the not to exceed \$500, or both	Class C	imprison and may \$10,000. Not less day and r imprison and may \$5,000.	than one (1) year and one (1) on more than tes (10) years ment in the state penitentiary include a fine not to exceed
Class C You will also be ord	County jail, or 1 had Up to three (3) mon county jail, or 2 fuc	this imprisonment is the cost to exceed \$500, or both	Class C	insprison and may \$10,000. Not less day and r imprison and may \$5,000. red attorney, w	than one (1) year and one (1) on more than ten (10) years ment in the state penitentiary include a fine not to exceed and restitution if there is any me. Victims Compensation
Class C You will also be ord (ou will also be ordered	County jail, or 1 had be county jail, or 2 functionally jail, or 2 functional to pay the costs of cd to pay an additional m	this imprisonment is the port to exceed \$500, or both court, which may include the court of the	Class C e fees of any appoint c and benefit of the	insprison and may \$10,000. Not less day and r imprison and may \$5,000. red attorney, m - Alabatna Cri hast \$1,000 for c	han one (1) year and one (1) of more than see (10) years ment in the state penitentiary include a fine not to exceed and restitution if there is any me Victims Compensation ach misdemeanor for whice
Class C You will also be ordered You will also be ordered	County jail, or 1 had be county jail, or 2 functionally jail, or 2 functional to pay the costs of cd to pay an additional m	this imprisonment is the port to exceed \$500, or both court, which may include the court of the	Class C e fees of any appoint c and benefit of the	insprison and may \$10,000. Not less day and r imprison and may \$5,000. red attorney, m - Alabatna Cri hast \$1,000 for c	han one (1) year and one (1) of more than see (10) years ment in the state penitentiary include a fine not to exceed and restitution if there is any me Victims Compensatio ach misdemeanor for whice
Class C You will also be ordered fou will also be ordered fou are convicted. This of	Up to three (3) mon enunty jail, or a fine derect to pay the costs of c d to pay an additional m han \$50 and not more that crime is also subject to the	this imprisonment is the post to exceed \$500, or both court, which may include the a \$10,000 for each felony and a following enhancements o	class C e fees of any appoint e and benefit of the 1 \$25 and not more do or additional penaltic	imprisons and may \$10,000. Not less day and imprison and may \$5,000. Ted actorney, we Alabama Critan \$1,000 for ce as provided lader Act. \$130A	than one (1) year and one (1) on more than ten (10) years ment in the state pentientiary include a fine not to exceed at restitution if there is any me Victims Compensation ach misdemesaror for which y law: (Provisions Checke 5-9, provides the following the provides the pro
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case):

| Enhanced Punishment For Use Of Firearm Or Deadly Weapon: \$13A-5-6, Code of Alabama 1975, provides for the enhancement of Enhanced Punishment For Use Of Firearm Or Deadly Weapon: \$13A-5-6, Code of Alabama 1975, provides for the enhancement of a feloxy." This section provides for Dennanced runsement for Use Ut ruearm Of Deadly weapon: \$12A-5-0, Code of Adapting 1975, provides for the enhancement of punishment where a "firearm or deadly weapon was used or attempted to be used in the commission of a felony." This section provides for the following punishment in such event: For the commission of a Class A. Felony, a term of imprisonment of not less than 20 years; For the commission of a Class B Felony, a term of imprisonment of not less than 10 years; For the commission of a Class B Felony, a term of imprisonment of not less than 10 years; For the commission of a Class B.

imprisonment of not less than 10 years.

| Enhanced Punishment For Drug Sale Near Housing Project: §13A-12-270, Code of Alabama 1975, provides that any person who is convicted of unlawfully selling any controlled substance within a three (3) mile radius of a public housing project owned by a housing authority must be punished by an additional penalty of five years' imprisonment for each violation.

| Enhanced Punishment For Drug Sale Near School: §13A-12-250, Code of Alabama 1975, provides that any person who is convicted Enhanced Punishment For Drug Sale Near School: §13A-12-250, Code of Alabama 1975, provides that any person who is convicted of unlawfully selling any controlled substance within a three (3) mile radius of a public or private school, college, university or other of unlawfully selling any controlled substance within a three (3) mile radius of a public or private school, college, university or other educational institution, must be punished by an additional penalty of five years' imprisonment for each violation.

| Enhanced Punishment For Sale Of Controlled Substance To One Under 18: §13A-1-2-215, Code of Alabama 1975, provides that anyone | Enhanced Punishment For Sale Of Controlled Substance To One Under 18: §13A-1-2-215, Code of Alabama 1975, provides that anyone | Convicted of selling, furnishing or giving away a controlled substance to one who has not yet attained the age of 18 years, shall be guilty of a Class A Felony and the punishment imposed shall not be suspended or probation granted.

| One of Alabama 1975, provides that anyone | Convicted of 180 penalty of

(Habitual or Non-Habitual Offender -- Circuit or Distr

Page 17 of 36

Drug Demand Reduction Assessment Act and Loss of Driving Privileges: Section 13A-12-281 provides that, if you are convicted of a violation of \$\\$13A-12-202, 13A-12-203, 13A-12-204; 13A-12-211, 13A-12-213; 13A-12-215 or 13A-12-231, Code of Alabama 1975, you shall be assessed an additional fee of \$1000 if you are a first-time offender or \$2000 if you are a repeat offender under one of these sections. Collection of all or part of the penalty will be suspended if, with Court approval, you enter a drug rehabilitation program and if you agree to pay for a part or all of the program costs. Upon successful completion of the a drug rehabilitation program and if you agree to pay for a part or all of the program costs. Upon successful completion of the program, you may apply to the Court to reduce the penalty by the amount actually paid by you for participation in the program. Any suspension of the penalty can be withdrawn by the Court if you fail to enroll in or successfully pursue or otherwise fail to enroll to an approved program. In addition, you will lose your privilege to drive a motor vehicle for a period of six months, which is also applicable if convicted under \$\xi\$13.4-12-214, 32-5.4-191(a)(3) or 32-5.4-191(a)(4).

Alcohol Related Offense: If you are convicted of an alcohol or drug-related offense, you will be required to undergo an evaluation for substance abuse. Based upon the results of any such evaluation, you will be required to complete the recommended course of education and/or treatment and to pay for the evaluation and any program to which you are referred. Failure to submit to an evaluation or failure to complete any program to which you may be referred will be considered a

recommended course of equivation and or designed and to pay for the evaluation and sny program to which you may be referred will be considered a Failure to submit to anievaluation or failure to complete any program to which you may be referred will be considered a violation of any probation or parole you may be granted. You may also be required to attend monitoring sessions, including violation of any probation or parole you may be granted. You may also be required to attent monitoring sessions, including random drug and alcohol testing or blood, urine and/or breath tests, and to pay a fee for this service. You may request a waiver of part or all of the fees assessed if you are indigent or for any portion of time you are financially unable to pay. Community of part or all of the fees assessed if you are indigent or for any portion of time you are financially unable to pay. Community of part or all of the fees by the Court in lieu of the monetary payment of fees by an indigent.

[V] DNA Samples for Criminal offenses in \$36-18-24, Code of Alabama 1975. §36-18-25(e) provides that, as of May 6, 1994, all the provided of any of the offenses set out in \$36-18-24, whall be account to embrait to the ratios of a DNA of the offenses set out in \$36-18-24, whall be account to embrait to the ratios of a DNA of the offenses set out in \$36-18-24, whall be account to embrait to the ratios of a DNA of the offenses set out in \$36-18-24, when the court to embrait to the ratios of a DNA of the offenses set out in \$36-18-24, when the court to embrait to the ratios of a DNA of the offenses set out in \$36-18-24, when the court to embrait to the ratios of a DNA of the offenses set out in \$36-18-24, when the court to embrate the court t

persons convicted of any of the offenses set out in \$36-18-24, shall be ordered by the court to submit to the taking of a DNA

uple or samples Mother AS SET BUT THE PLEA AGREEMENT.

RIGHTS YOU HAVE AND WAIVER OF YOUR RIGHTS

Under the Constitution of the United States and the Constitution and laws of the State of Alabama, you have a right to remain silent and you may not be compelled to give evidence against yourself. Your attorney cannot disclose any confidential talks he/she has had with you. You do not have to answer any questions. If you do answer questions knowing that you have a right to silence, you will have waived your right.

You have the right to enter, and continue to assert, a plea of "not guilty" or "not guilty by reason of mental disease or defect," and have a public trial before a duly selected jury. The jury would decide your guilt or innocence based upon the evidence presented before them. If you elect to proceed to trial, you would have the right to be present, you would have the right to have your attorney present to assist you, you would have the right to confront and cross examine your accuser(s) and all the State's witnessee, you would have the right to subpoena witnesses to testily on your behalf and to have their attendance in court and their testimony required by the Court, and you would have the right to take the witness stand and to testify but only if you chose to do so, as no one can require you to do this. If you elect to testify, you can be cross-examined by the State, just as any other witness is subjected to cross-examination. If you elect not to testify, no one but your attorney will be allowed to comment about that fact to the jury. Your attorney is bound to do everything he/she can honorably and reasonably do to see that you obtain a fair and impartial trial.

If you elect to proceed to trial, you come to court presumed to be innocent. This presumption of innocence will follow you throughout the trial until the State produces sufficient evidence to convince the jury (or the Court if the trial is non-jury) of your guilt beyond a reasonable doubt. You have no burden of proof in this case. If the State fails to meet its burden, you would be found not guilty. If you are entering a guilty plea to a charge for which you have not yet been indicted, you are waiving indictment by a grand jury and you will be pleading guilty to a charge preferred against you by a District Attorney's

Information filed with the Court.

IF YOU PLEAD GUILTY, THERE WILL BE NO TRIAL. YOU WILL BE WAIVING THE RIGHTS OUTLINED ABOVE, EXCEPT YOUR RIGHTS RELATING TO REPRESENTATION BY AN ATTORNEY. THE STATE WILL HAVE NOTHING TO PROVE, AND YOU WILL STAND GUILTY AND BE CONVICTED AND SENTENCED BASED ON YOUR GUILTY PLEA. BY ENTERING A PLEA OF GUILTY, YOU WILL ALSO WAIVE YOUR RIGHT TO APPEAL, UNLESS (1) YOU HAVE, BEPORE ENTERING THE PLEA OF GUILTY, EXPRESSLY RESERVED THE RIGHT TO APPEAL WITH RESPECT TO A PARTICULAR ISSUE OR ISSUES, IN WHICH EVENT APPELLATE REVIEW SHALL BE LIMITED TO A DETERMINATION OF THE ISSUE OR ISSUES RESERVED, OR (2) YOU HAVE TIMELY FILED A MOTION TO WITHDRAW THE PLEA OF GUILTY AFTER PRONOUNCEMENT OF SENTENCE ON THE GROUND THAT THE WITHDRAWAL IS NECESSARY TO CORRECT A MANIFEST INJUSTICE, AND THE COURT HAS DENIED YOUR MOTION TO WITHDRAW YOUR PLEA, OR THE MOTION HAS BEEN DEEMED DENIED BY OPERATION OF LAW.

IF YOU HAVE A RIGHT TO APPEAL UNDER ONE OF THE CONDITIONS ABOVE AND YOU ARE DETERMINED BY THE COURT TO BE INDIGENT, COUNSEL WILL BE APPOINTED TO REPRESENT YOU ON APPEAL. IF YOU SO DESIRE AND IF THE APPEAL IS FROM A CIRCUIT COURT JUDGMENT OR SENTENCES A COPY OF THE RECORD AND THE REPORTER'S TRANSCRIPT WILL BE PROVIDED AT NO COST TO YOUTH

OFY OF THE RECORD AND THE REPORTER STRUCTURE OF THE CONSEQUENCES OF PLEADING GUILTY PLEASE LET THE COURT KNOW NOW AND PURTHER EXPLANATION WILL BE MADE. K ATTORNEY'S CERTIFICATE

I certify that the above was fully read to the Defendant by me; that I explained the penalty or penalties involved with the Defendant, that I discussed in detail the Defendant's rights and the consequences of pleading guilty; and that, in any judgment, the Defendant understands the same and that he/she is knowingly, voluntarily and intelligently waiving his/tes rights and entering a voluntary and intelligent plea of guilty. I further certify to the Court that I have in no way forced induced the Defendant to plead guilty and to my knowledge no one else has done so.

DEFENDANT'S STATEMENT OF WAIVER OF RIGHTS AND PLEA OF GUILTY

I certify to the Court that my attorney has read and explained the matters set forth above; that my rights have been discussed with me in detail and fully explained; that I understand the charge or charges against me; that I understand my rights, the punishment or punishments provided by law as they may apply to my case, and I understand the consequences of plending guilty, that I am not under the influence of any drugs, medicines or alcoholic beverages; and I have not been threatened or abused or offered any inducement, reward, or hope of reward to plead guilty other than the terms of the plea agreement that will be stated upon the record.

I further state to the Court that I am guilty of the charge to which I am entering a plea of guilty, that I desire to plead guilty, that I made up my own mind to plead guilty, and that I knowingly, intelligently and voluntarily waive my right to a trial case. I further state to the Court that I am satisfied with my attorney's services and his/her handling of my case.

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STATE OF ALABAMA, Plaintiff,

LARYIE JONES

VS.

CC-2003-187-MAM

CC-2003-418-MAM

CC-2003-419-MAM

FILED IN OFFICE

CC-2004-347-MAM

APR 11 2005

MOTION TO CONTINUE

Ray A Parent

COMES NOW, LARYIE JONES, by counsel, and moves to CONTINUE the trial of this matter now set for April 25, 2005, and cites as grounds therefore as follows:

- 1. This Honorable Court granted the Defendant's motion for funds for an expert forensic chemist on February 15, 2005.
- 2. Counsel has offered to pay the custodian of evidence the mileage afforded state employees to transport the evidence to the designated forensic chemist in Auburn, Alabama to expedite the independent testing allowed and authorized by the Court. Counsel has also offered to pay the cost via UPS or FEDEx to transport the evidence. Counsel has offered to stipulate to the chain of custody and make no issue regarding same, at any stage of the case.
- 3. The custodian of the evidence has declined to release the evidence for testing without a court order. Therefore, no independent testing has taken place.

PREMISE considered, this Honorable Court is requested to continue this matter from the April 25, 2005, docket to permit testing. A separate request for an order to transport the evidence is requested.

Respectfully submitted this April 11, 2005.

Sydney Albert (Al) Smith

Attorney at Law P. O. Drawer 389

Elba, Al 36323

Phone:

334-897-3658

Fax:

334-897-8633

Page 1 of 2

James Trude AG's Office

CC-2003-187

STATE OF ALABAMA,
Plaintiff,

VS.

CC-2003-187-MAM

CC-2003-418-MAM

LARYIE JONES

CC-2003-419-MAM

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APR 11 2005

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Ray A Parece

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Sydney Albert (Al) Smith

SMI098

Attorney at Law P. O. Drawer 389

Elba, Al 36323

Phone:

334-897-3658

Fax:

334-897-8633

CERTIFICATE OF SERVICE

CIRCUIT JUDGE

Page 1 of 2

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State of Alat Unified Judi	sama cial System	Ju	DGEMENT/O	RDER	Case Number
Form C-13	Rev. 10/86			I W LIK	CC - 2003 - 187
IN THE		CIRCUIT District or Municipal)	COURT OF	COVINGTON CO	
State	of Alabama		v. Lary:	ie Earl Jones	
		Plaintiff		Defe	ndant
(For juven In the Mai	ile cases only); tter of:				
	Trial a	as set this day 1	s continued on de	fordant's motion	Therese
			ission to withdra		
			RANTED. Mr. Jone		
					o so. If a retained
			hin the time allo		
			to be appointed a	s the new defense	e lawyer, all
	without furt	her order of the	Court.		
	DONE an	d ORDERED this th	ne 22nd day of Se	ptember, 2004.	
		2 3 2004	M. ASI	Me Mekathan, CI	RCUIT JUDGE
	Ru A	Parece			
	•	CLERIK			
	<b>-</b> .				
			Signatur	e of Judge	
eruned a:	3 a true copy				
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	<u> </u>	CC .
State of Alabama Unified Judicial System	JUDGEMENT/ORDER	Case Number
Form C-18 Rev. 10/86		CC - 2003 - 187
	CIRCUIT COURT OF COVINGTON  District or Municipal) (Name of County of	
STATE OF ALABAMA	LARYIE EARL JONES	· manapanty)
	D1 : 4:65	efendant
(For juvenile cases only): In the Matter of:		
Hon. Day	vid Baker moves to withdraw as the attorney for	the defendant
	scovered that he has a conflict of interest. Th	
GRANTED. Acc	cordingly, the trial as set this day should be,	and it hereby is,
continued.		
In view	of the foregoing, it is necessary to designate	new counsel for
Mr. Jones, ar	d Hon. Francis M. James is therefore appointed	to represent him
from this day	forward.	
DONE and	ORDERED this the 16th day of November, 2004.	
	M. ASHLEY ACKATHAN, CI	IRCUIT JUDGE
	NOV 1 S 2004	
	End of Line	
Certified as a true copy	Signature of Judge	
Date		
,	·	
<u> </u>	By:_	

FILED IN OFFICE

STATE OF ALABAMA,

FEB 1 8 2005

PLAINTIFF,

Roya A Parece

VS.

CASE NOS.

CC-2003-418

LARYIE EARL JONES,

CC-2003-419 CC-2004-347

DEFENDANT.

ORDER

The trial of this case as now set to transpire during the week of February 28, 2005, should be, and it therefore is, continued on motion of the defendant.

DONE and ORDERED this the 15th day of February, 2005.

M. ASHLEY MCKATHAN, CIRCUIT JUDGE

IN THE CIRCUIT COURT OF	COVI	NGTON COUNTY ALABAMA
STATE OF ALABAMA,	}	
PLAINTIFF,	}	
VS.	}	CASE NO: CC-03-187
LARYIE EARL JONES DEFENDANT.	}	

#### MOTION FOR CONTINUANCE

COMES NOW the Defendant, Larvie Earl Jones by and through his counsel of record, A. Riley Powell, IV, and moves this Honorable Court to continue his trial, currently scheduled for the Week of June 27, 2005 and as grounds therefor sets down and assigns the following:

- 1. Counsel for Defendant was just recently appointed.
- 2. Counsel for Defendant has not had adequate time to prepare his case.
- 3. See attached Consent to Continuance executed by the Defendant.

Respectfully submitted this 27 day of June, 2005.

THE POWELL LAW FIRM, P.C.

A. Riley Powell, IV (POW029)

Post Office Drawer 969

Andalusia, Alabama 36420

334/222-4103

#### CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the above and foregoing on all counsel of record for the parties by placing a copy of same in the United States mail, postage prepaid and addressed to their regular mailing address, as follows:

Honorable Walt Merrell District Attorney's Office Covington County Courthouse Court Square Andalusia, Alabama 36420

This the 27 day of

NOU 01 2005 17:47

In the Circuit Court of Guington County, Alabama

STATE OF ALABAMA,

Plaintiff

45.

LARRYIE EARL JONES,

Defendant

Case Numbers

CC-2003-187

CC- 2003-418

CC- 2003-419

CC - 2004 - 347

## CONSENT TO CONTINUANCE

I, Larryie Earl Jones, do hereby consent to my cases being continued by the Court from their current trial setting (June 30, 2005). I also understand that I have an ongoing Motion for Speedy Trial.

I have discussed the continuence and the speedy Trial Motion with my attorney. I understand my rights and intelligently knowingly, voluntarily and intelligently consent to the continuence of the trial.

Done this 27th day of June , 2005

Withess

wo thess

Witness Syns

Largie Earl Jones

	MOTION FOR CONTINUANCE	0
		JUN 27 2005
LARYIE EARL JONES DEFENDANT.	}	FILED IN OFFICE
VS.	CASE NO: CC-03-18	7
PLAINTIFF,	}	
STATE OF ALABAMA,	}	

COMES NOW the Defendant, Laryie Earl Jones by and through his counsel of record, A. Riley Powell, IV, and moves this Honorable Court to continue his trial, currently scheduled for the Week of June 27, 2005 and as grounds therefor sets down and assigns the following:

- 1. Counsel for Defendant was just recently appointed.
- 2. Counsel for Defendant has not had adequate time to prepare his case.
- 3. See attached Consent to Continuance executed by the Defendant.

Respectfully submitted this 27 day of June

THE POWELL LAW FIRM, P.C.

A. Riley Powell, IV (POW029)

Post Office Drawer 969

Andalusia, Alabama 36420

334/222-4103

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ate of Alaba nified Judic	ima ial System Rev 2/79	The state of the s	ACTION SUN	MARY	Case Number	
yle:	·	Largiet	Ear I Jones	Page Number	of	Pages
DATE			ONS, JUDGMENTS, C	ASE NOTES		
9/8/05	Notice		1.			
10100	4	7	to the C	U Court	d Crim.	
1	appe	da Yru	the Dial	count	<b>L</b> .	
9/16/05	Olden:		dismissed			
9/16/05	Cint	Magn				
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9-23-05	77	Ze j gulyan	~			
9-27-0	n 71	a delend	ant withd	hown he	à Insanita	
	delan	a and	rano in la	noes usutl	sticken	
	- Constant	1	Ilm The Hill	I Ku	le.	
9/27/05	The defend	ant and the att	orneys in this ca	ase appeared thi	Ls day and select	ed a
······································			ter was settled a			
			Accordingly, th			
			1	Oly ME The		
9/27/05	Explanati	on of Rights and	M. ASI d Plea of Guilty	HLY MCKATHAN, (	CIRCUIT JUDGE	
	2007	AW AW YOUNG GIV	\			
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State of Alabama Unified Judicial System		CASE ACTION SUMMARY CONTINUATION	Case Number				
Form C-7 Rev. 2 Style:		Page Nur					
DATE	-	ACTIONS JUDGMENTS CASE MOTES OF THE					
DATE	STATE						
	PI	AINTIFF. * COVINGTON C	OUNTY, ALABAMA				
	vs.	*					
	LARYIE	EARL JONES, CASE NO. CC-2	003-187				
·	<b>D</b> )	EFENDANT, *					
		ORDER					
-	Tì	he defendant, Laryie Earl Jones, appeared in open Court in pe	rson with Hon. Ab Powell,				
	The partn	ner of his defense counsel of record, and, whereupon the defer	dant withdrew his plea of				
	not guilty	and whereupon the defendant plead guilty to Unlawful Poss	ession of a Controlled				
	Substance	ce (Cocaine), said crime being set forth in Count I of the indic	ement.				
,	U	pon his plea of guilty, the Court proceeded per the requireme	nts of the Alabama Rules				
	of Criminal Procedure, by which means it accepted the said plea. On account of the foregoing						
	things, defendant stood and was adjudged to be guilty of Unlawful Possession of a Controlled						
	Substan	ce (Cocaine) as charged in Count I of the indictment. The Co	ourt then sentenced such				
,	detendan	it to a term of fifteen (15) years imprisonment in the penitent	iary of the State of				
	Alabama	Alabama under the Habitual Felony Offender Act on Count I. Notwithstanding that fact, it is					
·	specifica	lly provided that the defendant shall receive credit for any tim	ne already served on this				
	prosecut	ion. Further, and in view of the preceding matters, all other C	Counts of the indictment are				
	now due	to be, and same accordingly are, nolle prossed.					
<del></del>	F	urther, the sentence imposed herein shall run concurrently wi	th any time simultaneously				
\	served in	r Covington County Case Numbers CC 2003 418 and CC-20	03-419.				

Date	ACTIONS, JUDGMENTS, CASE NOTES
·	As additional punishment for the conviction in this particular cause, the defendant was
· · · · · · · · · · · · · · · · · · ·	ORDERED to pay: all costs incurred herein, including the fees of court appointed defense
	counsel; \$100.00 to the Alabama Crime Victim's Compensation Fund; \$2,000.00 User's Fee
<del></del>	(Count I); \$100.00 to the forensics trust fund.
	Said payments are to be made as follows: \$50.00 per month
	beginning as indicated by separate order bearing even date herewith.
	It is further ORDERED that the defendant: shall submit to substance abuse evaluation by
	the Court Referral Officer and undergo treatment in that level of Substance Abuse Program as
	such officer may recommend; Shall surrender his driver's license to the State Department of
	Public Safety who shall suspend or revoke same for six (6) months by reason of this judgment,
	pursuant to the plea agreement and as required by law; shall, within 30 days of his release from
	incarceration enroll in and successfully complete a twelve (12) month residential substance
· · · · · · · · · · · · · · · · · · ·	abuse rehabilitation program; shall attend Substance Abuse Recovery meetings (e.g., Narcotics
	Anonymous, Alcoholics Anonymous, etc.) at least once a week; shall forfeit to the State all
	seized evidence in this case for the purpose of destruction; and, upon recommendation of the
	State of Alabama, the Sheriff of Covington County is directed to issue the Defendant a 48 hour
	pass for leave from the Covington County Jail, beginning at 5:00 p.m. on September 28, 2005
	and ending at 5:00 p.m. on September 30, 2005
	The above acts being done, the Court notes that it specifically advised the defendant of
	his limited rights of appeal under Rule 14.4(a)(1)(vill), A.R.Crim.P. but he did not give any kin
	of notice of appeal.

Date ACTIONS, JUDGMENTS, CASE NOTES				
	The defendant did apply for the benefits of probation and herein is granted a split			
	sentence. The defendant shall now serve one (1) year in the penitentiary of the State of Alabama			
	upon his total term in this case, with said split sentence beginning on September 27, 2005 and			
	concluding one (1) year from that date. The defendant shall nonetheless receive credit for time			
<u> </u>	served as specified previously in this Order, but without any deduction therefrom under the			
<u>;                                      </u>	Alabama Correctional Incentive Time Act. The execution of the remainder of the defendant's			
	sentence is thereupon suspended, and the defendant is placed upon probation for such remainder			
	by separate order bearing even date herewith.			
	DONE and ORDERED this the 37 day of			
	All mills			
	M. ASHIEY MCKATHAN			
	CIRCUIT JUDGE			
	I have read over and/or have had read to me by my attorney the above Order and attest I understand said Order and that said Order accurately sets out the plea agreement that I have			
	reached with the State.  Sayo Earl Aans			
	DATE DEFENDANT			
	I have read the above Order and have gone over it with and/or read it to the defendant. Lattest			
	that said Order accurately sets out the plea agreement that my client has reached with the State. I			
•	that he understands said Order and that I am comfortable in representing that he understands said			
	Order.			
	9/27/05 Whom 14			
	DATE ATTORNEY FOR DEFENDANT			

Sate	ACTIONS, JUDGMENTS, CASE NOTES
Date	
	I see the place agreement reached by the
	The State is satisfied that the above order accurately sets out the plea agreement reached by the parties in this matter.
,	9 17 05
<del> </del>	DATE PROSECUTING ATTORNEY
9-27-05	order of Probation after allowan Japan.
9.28 05	oran y Public agt allowan y Speed Sulum Dinscript & Record
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State of Alabama	ORDER OF PROBATION	Case Number
Unified Judicial System	AFTER ALLOWANCE OF SPLIT- SENTENCE	CC 03 187
Form C-53 Rev. 2/81, as modified for local use.		,
IN THE CIRCUIT	COURT OFCOVINGION	COUNTY
STATE OF ALABAMA  It appears to the Court the above named	vs. LARRYIE EARL JONES	
(plead guilty and) been convic	ted of the offense of Un1. Poss. of a Controlled S	ubstance (Cocaine)
has been adjudicated a Youthfi	ul Offender for the underlying offense of	dimeted that the
following terms and conditions shall go	plit sentence and probation by separate order. Thereupon, it is evern defendant's probation once he has served his split and is r	eleased on
probation.		
It is the order of the Court that the Do not violate any Federal, State, or	probationer comply with the following general and special conc	litions of probation:
Avoid injurious or vicious habits.	1 100a1 12W.	
Avoid persons or places of disrepu		•
Report to the Probation Officer as Permit the probation officer to visi		
Work faithfully at suitable employs	ment as far as possible.	
Remain within a specified place to-	wit: State of Alabama	
Support his dependants to the best	of his ability. Ment without the consent of the Probation Officer.	
Pay to the Probation Officer \$30.00	o per month during the probation period, pursuant to Section 15	-22-2,
Code of Alabama, 1975.		
probation officer, and shall then be monite	hours of community service. Said service shall be approve ored by him. Further, said service shall be performed in increm	ed in advance by the
hours per week until it is finished.		
X The defendant shall submit to s	substance (drug and/or alcohol) abuse evaluation by the Court R	eferral Officer and undergo
X The defendant is not to use alco	ouse Program as such officer may recommend.  ohol or narcotic drugs, or frequent places where intoxicants or d	inus are sold dispensed on
used unlawfully; not to own, possess or ha	ive under your control a firearm; to participate in alcoholic, dru	g treatment, or other
therapeutic programs when instructed to d	o so by your Probation Officer, to make yourself available for s	earches and/or tests when
residence, vehicle, or any property under 3	ing, but not limited to, Urinalysis, Breathalizer, and blood samp	les and/or search of your
It is further ordered by the Court that	at the defendant pay his assessments in this case in the following	g manner:
The defendant shall remit th	e sum of \$50.00 per month over unto the Cir has been completely satisfied.	cuit Clerk until every
	the Court are as follows: The remittances as menti	oned above shall com-
mence within 60 days of the	date on which the defendant finishes the re-	quirements of the next
paragraph.	l in, and successfully proceed through, a or	
tial, substance abuse program	m. Such makey shall transpire within 30 day	ys of the date on which
the defendant is done with t	he prison portion of his split-sentence. For	urther, the substance
probation officer.	defendant pursuant hereto must be approved :	in advance by his
, -	it any evidence seized in this case for the	purpose of destructio
Finally, the defendant sha	all attend a Narcotics Anonymous meeting at	least once each week
for so long as he remains on	probation.	
		_
	FILED IN OFFICE	
Í	SEP 2 7 2005	
	Ren A Price	
	· · · · · · · · · · · · · · · · · · ·	
onditions of this probation or change the pe	the defendant is hereby advised that the Court may at any time riod of probation and may discharge defendant from probation	revoke or modify any
probation. The probationer shall be subject	to arrest for violation of any condition of the probation herein a	ranted. The Court may, at
any time, for cause, order the original senten	ce executed.  bama.this (Date) the 27th day of September, 200	
, Ala	balls, dis (Dais) the 27th day of September, 2005	) <b>.</b>
	Jakey 711 Sh	
A copy of this order has been delivered to th	Judge e probationer, who has been instructed regarding same this (dat	e)
	Probation Officer	<del> </del>
The above instructions and conditions have b	peen read and explained, and I hereby accept these conditions, a	greeing to abide by them.
Race Age Sex		
	Probationer sign here	
Occupation		
1	Address of Probationer	

<u></u>	DOCCUTNETON 19-12A OFFFFFE	d 11/03/2005 Pegge 35 of
State of Alabama	NATION OF RIGHTS AND PLEA OF GUILTY Habitual Offender Circuit or Distri	Case Number CC-03-187
(Circuit, or District)	RT OF COVINGTON (Name of County) E EARL JONES	COUNTY, ALABAMA
TO THE ABOVE-NAMED DEFENDANT: The Cinform you of your rights 28 a criminal defendant.  PENALTIF	ourt being informed that you wish to enter	
You are charged with the following crime(s):  1 count(s) of Unl Poss CS 1 count(s) of Unl Poss Drug Para	which is a Class C	☐ ☐ Felony ☐ Misdemeanor. ☐ ☐ Felony ☐ Misdemeanor. ☐ ☐ Felony ☐ Misdemeanor.

The sentencing range for t	on count(s) which is a Class on count(s) which is a Class on count(s) which is a Class he above crime(s) is set out below:		☐ Felony ☐ Misdemeanor. ☐ Felony ☐ Misdemeanor. ☐ Felony ☐ Misdemeanor.
MISDEMEANOR Cluss A	FELONY Up to one (1) year imprisonment in the county jail, or a fine up to \$2000, or both.	Class A	Not less than ten (10) years and not more than life or ninety-nine (99) years imprisonment in the stare pentendary, and may include a fine not to exceed 20,000.
Class B	Up to six (6) months imprisonment in the county juil, or a fine up to \$1000, or both	Class B	Not less than two (2) years and not more than twenty (20) years imprisonment in the state penitentiary, and may include a fine not to exceed \$10,000.
Class C	Up to three (3) months imprisonment in the county jail, or a fine not to exceed \$500, or both	Class C	Not less than one (1) year and one (1) day and not more than ten (10) years imprisonment in the state penitentary, and may include a fine not to exceed \$5,000.

which is a Class

_____ which is a Class_

The Court has been informed that you desire to enter a plea of guilt to the crime(s) of:

on count(s) _

You will also be ordered to pay the costs of court, which may include the fees of any appointed attorney, and restitution if there is any. You will also be ordered to pay an additional monetary penalty for the use and benefit of the Alabama Crime Victims Compensation Commission of not less than \$50 and not more than \$10,000 for each felony and \$25 and not more than \$1,000 for each misslemeanor for which you are convicted. This crime is also subject to the following enhancements or additional penalties as provided by law: (Provisions Checked

y 10 10ur (2001) As a reported Habitual Offender, you are further advised that the Alabama Habitual Offender Act, \$13A-5-9, provides the following Apply To Your Case) enhanced punishment for anyone who has been previously convicted of one or more felonies and who then is convicted of a subsequent felony.

nor Felonics → This offense ↓ Class C Felony	No Prior Felouics LYr. & LDuy - 10 Years In State Positerdary Fine Up To 25000	One Prior Pelony 2 - 20 Years In Secto Positionals Fine Up To \$10,000	Two Prior Federales 18 years - Life or 9P Years is State Ferticentiary Pine Up To 320,000	Three + Prior Felonics 15 Yours - Lin or 99 Years In State Publishedary Fine Up To
Class B Pelony	2 - 28 Yours In State Fendantiacy Fine Up To 510,000	10 Yours - Life or 99 Years in State Penitentiary Fine Up To 528,000	15 Years -Life or 19 Years in State Permendary Pine up To	28 Years - Life Imprisonment In State Pentiondary Pina up Ta
Class A Felony	10 Years - Life or 99 Years in State Featmentary Fine Up To \$20,000	15 Years - Life or 99 Years In State Penirentiacy Fine Up Toa	Life Imprisonment of Any Term Of Years Not Law Than 99 Years in State Pentiandary Fine Up To	Mandatory Imprisonment For Life, If no prior Class A Felony ciaviente parele pormitted if judge chooses, Odistraise no purole. Fine up to

This citae is also subject to the following cultuncements or additional penalties, as provided by law (Provisions checked apply to your

case):

| Enhanced Punishment For Use Of Firearm Or Deadly Wespon: \$13A-5-6, Code of Alabama 1975, provides for the enhancement of Enhanced Punishment For Use Of Firearm Or Deadly Wespon: \$13A-5-6, Code of Alabama 1975, provides for the enhancement of the commission of a felony." This section provides for punishment where a "firearm or deadly weapon was used or attempted to be used in the commission of a felony." This section provides for the following punishment in such event: For the commission of a Class A Pelony, a term of imprisonment of not less than 20 years; For the commission of a Class B Felony, a term of imprisonment of not less than 10 years; For the commission of a Class C Felony, a term of imprisonment of not less than 10 years.

| Enhanced Punishment For Drug Sale Near Housing Project: §13A-12-270, Code of Alabams 1975, provides that any person who is

convicted of unlawfully selling any controlled substance within a three (3) mile radius of a public housing project owned by a housing authority

must be punished by an <u>additional</u> penalty of five years' imprisonment for each violation.

— Enhanced Punishment For Drug Sale Near School: §13A-12-250, Code of Alabama 1975, provides that any person who is convicted of unlawfully selling any controlled substance within a three (3) mile radius of a public or private school, college, university or other

educational institution, must be punished by an additional penalty of five years' imprisonment for each violation.

| Enhanced Punishment For Sale Of Controlled Substance To One Under 18: \$13.4-1 2-215, Code of Alabama 1975, provides that anyone convicted of selling, furnishing or giving away a controlled substance to one who has not yet attained the age of 18 years, shall be guilty of

a Class A Felony and the punishment in posed shall not be suspended or probation granted.

Wrorensic Trust Fund Fee: Section 36-18-7 provides that, in addition to all fines, fees, costs and punishments prescribed by law there shall be imposed or assessed as additional fee feron on by law, there shall be imposed or assessed an additional fee of \$100.00 on any conviction in any court of the state for drug possession, drug sale, drug trafficking and drug paraphernalia offenses as defined in Sections 13A-12-211 to 13A-12-260, inclusive.

count(s) of

count(s) of

Unl Poss CS

☐ Felony ☐ Misdemennor.

🔯 Felony 🛘 Misdemeanor.

D Felony D Misdemeanor.

Form C-44C (back) Rev. 8/95 As rev. for local use 6/98, 8/02 EXPLANATION OF RIGHTS AND PLEA OF GUILTY (Habitual or Non-Habitual Offender - Circuit or District Court)

Drug Demand Reduction Assessment Act and Loss of Driving Privileges: Section 13A-12-281 provides that, if you are convicted of a violation of \$\infty\$13A-12-202, 13A-12-203, 13A-12-204, 13A-12-211, 13A-12-212, 13A-12-213, 13A-12-215 or 13A-12-231, Code of Alabama 1975, you shall be assessed an additional fee of \$1000 if you are a first-time offender or \$2000 if you are a repeat offender under one of these sections. Collection of all or part of the penalty will be suspended if, with Court approval, you enter

offender under one of these sections. Collection of all or part of the penalty will be suspended if, with Court approval, you enter offender under one of these sections. Collection of all or part of the penalty will be suspended if, with Court approval, you enter a drug rehabilitation program and if you agree to pay for a part or all of the program costs. Upon successful completion of the program, you may apply to the Court to reduce the penalty by the amount actually paid by you for participation in the program. Any suspension of the penalty can be withdrawn by the Court if you fail to enroll in or successfully pursue or otherwise fail to Complete an approved program. In addition, you will lose your privilege to drive a motor vehicle for a period of six months, complete an approved program. In addition, you will lose your privilege to drive a motor vehicle for a period of six months, complete an approved program. In addition, you will lose your privilege to drive a motor vehicle for a period of six months, complete an approved program to which you are to ensure evaluation for substance abuse. Based upon the results of any such evaluation, you will be required to complete the evaluation for substance abuse. Based upon the results of any such evaluation and any program to which you are referred precommended course of education and/or treatment and to pay for the evaluation and any program to which you are referred will be considered on the submit to an evaluation or failure to complete any program to which you may be referred will be considered on the violation of any probation or parole you may be granted. You may also be required to attend monitoring sessions, including violation of any probation or parole you may be granted. You may also be required to attend monitoring sessions, including violation of any probation or parole you may be granted. You may also be required to attend monitoring sessions, including violation of any probation or parole you may be granted. You may also be required to attend monitori

persons convicted of any of the offenses set out in \$36-18-24, shall be ordered by the court to submit to the taking of a DNA sample or sumples.

XIOther AS SET OUT THE PLEA AGREEMENT

#### RIGHTS YOU HAVE AND WAIVER OF YOUR RIGHTS

Under the Constitution of the United States and the Constitution and laws of the State of Alabama, you have a right to remain silent and you may not be compelled to give evidence against yourself. Your attorney cannot disclose any confidential talks lic/she has had with you. You do not have to answer any questions. If you do answer questions knowing that you have a right to silence, you will have waived your right.

You have the right to enter, and continue to assert, a plea of "not guilty" or "not guilty by reason of mental disease or defect," and have a public trial before a duly selected jury. The jury would decide your guilt or innocence based upon the evidence presented before them. If you elect to proceed to trial, you would have the right to be present, you would have the right to have your attorney present to assist you, you would have the right to confront and cross examine your accuser(s) and all the State's witnesses, you would have the right to subpoens witnesses to testily on your behalf and to have their attendance in court and their testimony required by the Court, and you would have the right to take the witness stand and to testify but only if you chose to do so, as no one can require you to do this. If you elect to testify, you can be cross-examined by the State, just an any other witness is subjected to cross-examination. If you elect not to testify, no one but your attorney will be allowed to comment about that fact to the jury. Your attorney is bound to do everything he/she can honorably and reasonably do to see that you obtain a fair and impartial trial.

If you elect to proceed to trial, you come to court presumed to be innocent. This presumption of innocence will follow you throughout the trial until the State produces sufficient evidence to convince the jury (or the Court if the trial is non-jury) of your guilt beyond a reasonable doubt. You have no burden of proof in this case. If the State fails to meet its burden, you would be found not guilty. If you are entering a guilty plea to a charge for which you have not yet been indicted, you are waiving indictment by a grand jury and you will be pleading guilty to a charge preferred against you by a District Attorney's

Information filed with the Court IF YOU PLEAD GUILTY, THERE WILL BE NO TRIAL. YOU WILL BE WAIVING THE RIGHTS OUTLINED ABOVE, EXCEPT YOUR RIGHTS RELATING TO REPRESENTATION BY AN ATTORNEY. THE STATE WILL HAVE NOTHING TO PROVE, AND YOU WILLSTAND GUILTY AND BE CONVICTED AND SENTENCED BASED ON YOUR GUILTY PLEA. BY ENTERING A PLEA OF GUILTY, YOU WILL ALSO WAIVE YOUR RIGHT TO APPEAL, UNLESS (I) YOU HAVE, BEFORE ENTERING THE PLEA OF GUILTY, EXPRESSLY RESERVED THE RIGHT TO APPEAL WITH RESPECT TO A PARTICULAR ISSUE OR ISSUES, IN WHICH EVEN'T APPELLATE REVIEW SHALL BE LIMITED TO A DETERMINATION OF THE ISSUE OR ISSUES RESERVED, OR (2) YOU HAVE TIMELY FILED A MOTION TO WITHDRAW THE PLEA OF GUILTY AFTER PRONOUNCEMENT OF SENTENCE ON THE GROUND THAT THE WITHDRAWAL IS NECESSARY TO CORRECT A MANIFEST INJUSTICE, AND THE COURT HAS DENIED YOUR MOTION TO WITHDRAW YOUR PLEA, OR THE MOTION HAS BEEN DEEMED DENIED

BY OPERATION OF LAW. IF YOU HAVE A RIGHT TO APPEAL UNDER ONE OF THE CONDITIONS ABOVE AND YOU ARE DETERMINED BY THE COURT TO BE INDIGENT, COUNSEL WILL BE APPOINTED TO REPRESENT YOU ON APPEAL. IF YOU SO DESIRE AND IF THE APPEAL IS FROM A CIRCUIT COURT JUDGMENT OR SENTENCE, A COPY OF THE RECORD AND THE REPORTER'S TRANSCRIPT WILL BE PROVIDED AT NO COST TO YOU.

IF YOU HAVE ANY QUESTIONS ABOUT YOUR RIGHTS OR THE CONSEQUENCES OF PLEADING GUILTY, PLEASE LET THE COURT KNOW NOW AND PEBTH OF ENE ANATION WILL BE MADE

SEP 2 7 2005 ATTORNEY'S CERTIFICATE

I certify that the above was fully read to the Defendant by in Fighat I explained the penalty or penalties involved with the Defendant, that I discussed in detail the Defendant's rights and the consequences of pleading guilty; and that, in my judgment, the Defendant understands the same and that he/she is knowingly, voluntarily and intelligently waiving his/her rights and entering a voluntary and intelligent plea of guilty. I further certify to the Court than I have in no way forced or induced the Defendant to plead guilty and to my knowledge no one else has done so.

Attorney

DEFENDANT'S STATEMEN', OF WAIVER OF RIGHTS AND PLEA OF GUILTY

I certify to the Court that my attorney has read and explained the matters set forth above; that my rights have been discussed with me in detail and fully explained; that I understand the charge or charges against me; that I understand my rights, the punishment or punishments provided by law as they may apply to my case, and I understand the consequences of pleading guilty; that I am not under the influence of any drugs, medicines or alcoholic beverages; and I have not been threatened or abused or offered any inducement, reward, or hope of reward to plead guilty other than the terms of the plea agreement that will be stated upon the record.

I further state to the Court that I am guilty of the charge to which I am entering a plea of guilty, that I desire to plead guilty, that I made up my own mind to plead guilty, and that I knowingly, intelligently and volunearily waive my right to a trial in this case. I further state to the Court that I am satisfied with my attorney's services and his/her handling of my case.